

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

ANTHONY C. MARTIN,

Plaintiff,

v.

WEXFORD HEALTH OF INDIANA,
et al.,

Defendants.

CAUSE NO. 3:20-CV-119-JD-MGG

OPINION AND ORDER

Anthony C. Martin, a prisoner without a lawyer, is proceeding on several claims in this case, including a single claim for injunctive relief against Warden Gailpeau at the Westville Correctional Facility to provide him with constitutionally adequate medical care for his shoulder, eye, hand, neck, and throat injuries as well as his migraine headaches and mental healthcare needs, as required by the Eighth Amendment. ECF 5. Martin also sought a preliminary injunction. ECF 3. On March 4, 2020, Martin notified the court that he had been transferred to Wabash Valley Correctional Facility. ECF 8. “If a prisoner is transferred to another prison, his request for injunctive relief against officials of the first prison is moot unless he can demonstrate that he is likely to be retransferred.” *Higgason v. Farley*, 83 F.3d 807, 811 (7th Cir. 1996). Here, there is no reason to believe that Martin is likely to be transferred back to Westville, and if he is, he may renew his motion. Martin notes that, due to a filing ban, he will be unable to seek similar relief from the United States District Court for the Southern District. While this

may be the case, it does not alter the fact that neither Warden Galipeau nor any other defendant he is proceeding against in this case is positioned to grant the requested relief.

For these reasons, Anthony Martin's motion seeking a preliminary injunction (ECF 3) and motion to strike (ECF 28) are DENIED AS MOOT.

SO ORDERED on May 18, 2020

/s/JON E. DEGUILIO
JUDGE
UNITED STATES DISTRICT COURT